

STEVE JOHNSON, and wife,
BARBARA JOHNSON

Plaintiffs,

V.

STATE FARM FIRE & CASUALTY
COMPANY, ED UNDERWOOD and
ELAINE VEACH,

Defendants.

[illegible]

Case. No. 3:11-cv-00401

**MOTION TO DISMISS COMPLAINT ON BEHALF OF
DEFENDANT ED UNDERWOOD AND DEFENDANT ELAINE VEACH**

Defendant Ed Underwood and Defendant Elaine Veach (collectively, “Defendants”) move this Court to dismiss Plaintiffs' Complaint because Plaintiffs have filed an identical complaint that is still pending in state court, and therefore the complaint filed in this Court should be dismissed based on the doctrine of abstention.

In support of this motion, Defendants rely upon the accompanying memorandum of law.

Respectfully submitted,

s/ Brigid M. Carpenter

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CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2011, a true and correct copy of the foregoing document was served on the parties listed below via first class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party.

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